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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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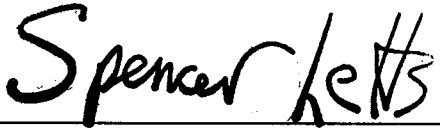
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12 MARVIN ORTIZ,) No. CV 07-1357-JSL(CW)
13)
14) Petitioner,) ORDER ACCEPTING REPORT
15) v.) AND RECOMMENDATION OF
16) UNITED STATES
17) MAGISTRATE JUDGE
18)
19 T. BANKS (Warden),)
20)
21) Respondent.)
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19 Pursuant to 28 U.S.C. § 636(b)(1)(C), the court has reviewed the
20 entire record in this action, as well as the Report and Recommendation
21 of the United States Magistrate Judge. No objections to the Report
22 and Recommendation have been received.

23 **IT IS THEREFORE ORDERED:** (1) that the Report and Recommendation
24 of the United States Magistrate Judge be accepted; (2) that
25 respondent's motion to dismiss (docket no. 10, filed May 24, 2007) be
26 granted; and (3) that judgment be entered dismissing this action for
27 lack of subject matter jurisdiction.
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1 **IT IS FURTHER ORDERED** that the clerk serve copies of this Order
2 and the Judgment herein on the parties.

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4 DATED: 1/23/08

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7 J. SPENCER LETTS
8 United States District Judge
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